

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DOMAIN NAME COMMISSION LIMITED,
Plaintiff,
v.
DOMAINTOOLS, LLC,
Defendant.

Case No. 2:18-CV-874

**STIPULATION AND [PROPOSED]
ORDER FOR BRIEFING SCHEDULE
AND STAY**

STIPULATION

Plaintiff Domain Name Commission Limited (DNCL) and Defendant DomainTools, LLC (DomainTools), by and through their undersigned counsel, hereby stipulate to the below briefing schedule pertaining to DomainTools' forthcoming motion to dismiss as well as a stay of discovery pending briefing and resolution of DomainTools' motion to dismiss. In support of this stipulation, the parties state as follows:

1. On September 12, 2018, the Court entered an order granting in part DNCL's request for a preliminary injunction. Dkt. No. 43.

2. On September 26, 2018, DomainTools filed a motion to dismiss Plaintiff's complaint, with a noting date of October 19, 2018. Dkt. No. 46.

3. On October 17, 2018, DNCL filed an amended complaint that included additional allegations in support of its three claims. Dkt. No. 54.

4. On October 12, 2018, DomainTools filed a notice of appeal. Dkt. No. 52.

5. On October 30, 2018, this Court stayed this matter in its entirety pending resolution of DomainTools' appeal. Dkt. No. 56.

6. On July 17, 2019, the Ninth Circuit Court of Appeals affirmed this Court's preliminary injunction ruling and issued the mandate on August 8, 2019. Dkt Nos. 58, 59.

7. DomainTools has indicated its intent to file a motion to dismiss DNCL's claims under the federal Computer Fraud and Abuse Act and the Washington Consumer Protection Act.

8. The parties hereby stipulate and agree to the following briefing schedule:

- DomainTools' Motion to Dismiss: Due September 3, 2019.
- DNCL's Response to DomainTools' Motion to Dismiss: Due October 1, 2019.
- DomainTools' Reply ISO Motion to Dismiss: Due October 22, 2019.

9. The parties further agree and stipulate to stay all discovery until fourteen (14) days after this Court enters an order on DomainTools' forthcoming motion to dismiss.

IT IS SO STIPULATED.

1 DATED this 15th day of August, 2019.

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3 ORRICK, HERRINGTON & SUTCLIFFE LLP

4
5 By: *s/Aravind Swaminathan*
s/Melanie D. Phillips
s/Jacob M. Heath

6 Aravind Swaminathan (State Bar No. 33883)
7 aswaminathan@orrick.com
8 Melanie D. Phillips (State Bar No. 48945)
9 mphilips@orrick.com
10 Orrick, Herrington & Sutcliffe, LLP
701 Fifth Avenue, Suite 5600
Seattle, WA 98104
Telephone: 206-839-4300
Facsimile: 206-839-4301

11 Jacob M. Heath (admitted *Pro Hac Vice*)
12 jheath@orrick.com
1000 Marsh Road
13 Menlo Park, CA 94025-1015
Telephone: 650-614-7400
14 Facsimile: 650-614-7401

15 Attorneys for Defendant DomainTools, LLC

DAVIS WRIGHT TREMAINE LLP

By: *s/Stephen Rummage*
s/James Corning

James Corning (State Bar No. 45117)
jamescorning@dwt.com
Stephen M. Rummage, WSBA #11168
steверummage@dwt.com
1201 Third Avenue, Suite 2200
Seattle, Washington 98101-3045
Telephone: (206) 622-3150
Facsimile: (206) 757-7700

Attorneys for Plaintiff Domain Name
Commission Limited

ORDER

IT IS HEREBY ORDERED that DomainTools' Motion to Dismiss is due on September 3, 2019, DNCL's response to DomainTools' Motion to Dismiss is due on October 1, 2019, and DomainTools' reply in support of its Motion to Dismiss is due on October 22, 2019. All discovery is stayed pending resolution of the motion to dismiss. Within 14 days of resolution of the motion to dismiss, the parties shall file a joint report with a scheduling proposal.

DATED this ____ day of ____, 2019

Robert S. Lasnik
United States District Court Judge